



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं 54] नई दिल्ली, सोमवार, सितम्बर 22, 1997 / भाद्र 31, 1919
No. 54] NEW DELHI, MONDAY, SEPTEMBER 22, 1997 / BHADRA 31, 1919

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 22nd September, 1997/Bhadra 31, 1919 (Saka)

THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS (AMENDMENT) ORDINANCE, 1997

No. 17 OF 1997

Promulgated by the President in the Forty-eighth Year of the
Republic of India.

An Ordinance further to amend the Employees' Provident Funds and
Miscellaneous Provisions Act, 1952

WHEREAS a Bill further to amend the Employees' Provident Funds and Miscella-
neous Provisions Act, 1952, has been introduced in Parliament but has not yet been passed;

AND WHEREAS Parliament is not in session and the President is satisfied that circum-
stances exist which render it necessary for him to take immediate action to give effect to
the provisions of the Bill;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of
the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Employees' Provident Funds and Miscella-
neous Provisions (Amendment) Ordinance, 1997.

(2) It shall come into force at once.

Short title and
commence-
ment.

Amendment of
section 6

2. In section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the principal Act), for the words "eight and one-third per cent." and "ten per cent.", wherever they occur, the words "ten per cent." and "twelve per cent." shall respectively be substituted.

19 of 1952.

Amendment of
section 7D

3. In section 7D of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) A person shall not be qualified for appointment as a Presiding Officer of a Tribunal (hereinafter referred to as the Presiding Officer) unless he is, or has been, or is qualified to be,—

- (i) a Judge of a High Court; or
- (ii) a district judge."

Amendment of
section 7F

4. Section 7F of the principal Act shall be re-numbered as sub-section (1) thereof, and after sub-section (1) as so re-numbered, the following sub-sections shall be inserted, namely:—

"(2) The Presiding Officer shall not be removed from his office except by an order made by the President on the ground of proved misbehaviour or incapacity after an inquiry made by a Judge of the High Court in which such Presiding Officer had been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The Central Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the Presiding Officer."

Amendment of
section 16.

5. In section 16 of the principal Act, in sub-section (1),—

- (i) in clause (c), the word "or" occurring at the end shall be omitted;
- (ii) clause (d) and the *Explanation* thereto shall be omitted.

K. R. NARAYANAN,
President.

K. L. MOHANPURIA,
Secy. to the Govt. of India.